

## Update: Criminal Procedure Monograph 2--Issuance of Search Warrants (Revised Edition)

### 2.14 Other Exceptions Applicable to Search Warrants

#### E. Exigent Circumstances Doctrine

Insert the following language at the end of Subsection E on page 28:

In *Thacker v City of Columbus*, \_\_\_ F3d \_\_\_, \_\_\_ (2003), the Sixth Circuit stopped short of concluding that a warrantless entry may be justified solely on the basis of a 911 call placed from the residence into which the entry was made. However, the 911 call's point of origin was an important factor in the Court's analysis of "the totality of circumstances" justifying the officers' warrantless entry. In *Thacker*, the female plaintiff telephoned 911 to request medical treatment for an injury to the male plaintiff's wrist. Two paramedics and two police officers responded to the call. The male plaintiff who greeted the officers at the door was bleeding profusely, "[v]isibly intoxicated and immediately belligerent." *Thacker, supra* \_\_\_ F3d at \_\_\_.

Among other claims, the plaintiffs brought suit against the two police officers for unlawful entry into their residence. "Although it present[ed] a close question," the Sixth Circuit held that "the uncertainty of the situation, in particular, of the nature of the emergency, and the dual needs of safeguarding the paramedics while tending to Thacker's injury, created exigent circumstances here." *Thacker, supra* \_\_\_ F3d at \_\_\_.